

**Hazel Roby, as Administratrix of the Estate
of Ronald Tyrone Roby, Deceased**

v.

Benton Express, Inc.

Exhibit A

**Plaintiff's Response to Defendant's
Objections to Magistrate Judge's Orders and
Motion to Set Aside Orders
Of Magistrate Judge**

**Correspondence to counsel for
Defendant Benton Express, Inc.
Concerning Discovery Responses**

Beasley, Allen, Crow, Methvin, Portis & Miles, P.C.

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September 8, 2005

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JAMES W. THAYER
1953-1987
RONALD AUSTIN CANTY
1963-2004

Brett A. Ross
Gregory A. Brockwell
Carr, Allison, Pugh, Howard, Oliver & Sisson, P.C.
100 Vestavia Parkway, Suite 200
Birmingham, Alabama 35216

RE: Hazel Roby v Benton Express, Inc.

Dear Gentlemen:

Your response to Plaintiff's first interrogatories #17, does not give the address and telephone number for Craig Stephens, deceased. Please supplement this response.

Please produce documentation to Plaintiff's first request for production #57 showing how Benton Express pays its drivers, such as Craig Stephens, deceased.

Please produce documentation to request for production #58 showing how Benton Express contacts its employees, such as Craig Stephens, deceased, either by cellular telephone, digital telephone, CB radio, pager, etc., and any other code or identification that would allow the defendant to contact its employee drivers while on the road.

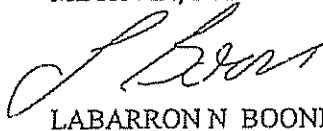
Please provide documentation to request for production #62, showing whether or not workers' compensation or any other form of payment was provided on behalf of Craig Stephens, deceased.

Please be more specific in your response to request for production #64. It states that the defendant is not in possession, custody, or control of satellite data, Qualicom data or electronic control module data. Does this mean that the data exist on the subject tractor or trailer but the defendant does not have possession, custody or control of it?

Let me know if you are going to continue to object to these questions so that I can make a decision on how to proceed.

Sincerely,

BEASLEY, ALLEN, CROW,
METHVIN, PORTIS & MILES, P C



LABARRON N BOONE

LNB/ceh

Beasley, Allen, Crow, Methvin, Portis & Miles, P.C.

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September 30, 2005

Gregory A. Brockwell
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100 Vestavia Parkway, Suite 200
Birmingham, Alabama 35216

Re: *Hazel Roby v. Benton Express, Inc.*

Dear Greg:

I would ask that you supplement your client's responses to the following interrogatories and requests for production:

Interrogatory numbers 49 and 50.
Requests for Production numbers 62, 63

It is Plaintiff's contention, in light of your allegations that Craig Anthony Stephens was not acting in the line and scope of his employment, that any and all documents, communications, and any other information relating, referring to, or regarding worker's compensation payments to Mr Stephens' widow are fully discoverable. If you will not agree to produce this information, please advise so I can seek the Court's intervention.

Sincerely,

BEASLEY, ALLEN, CROW, METHVIN,
PORTIS & MILES, P.C.



LABARRON N. BOONE

LNB/dmj

Beasley, Allen, Crow, Methvin, Portis & Miles, P.C.

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October 3, 2005

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Re: *Hazel Roby v. Benton Express, Inc.*

Dear Greg:

I would ask that you supplement your client's responses to interrogatory numbers 49 and 50 as well as responses to requests for production numbers 62 and 63.

It is Plaintiff's contention, in light of your allegations that Craig Anthony Stephens was not acting in the line and scope of his employment, that any and all documents, communications, and any other information relating, referring to, or regarding worker's compensation payments to Mr. Stephens' widow are fully discoverable. If you will not agree to produce this information, please advise so I can seek the Court's intervention

Sincerely,

BEASLEY, ALLEN, CROW, METHVIN,
PORTIS & MILES, P.C.


LABARRON N. BOONE

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November 7, 2005

VIA FACSIMILE TRANSMISSION

Gregory A. Brockwell
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100 Vestavia Parkway, Suite 200
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Re: *Hazel Roby v. Benton Express, Inc.*

Dear Greg:

I wrote to you on October 3, 2005, requesting the information relating to the worker's comp benefits paid on behalf of Craig Anthony Stephens. To date, I have not received a response to this letter. If I do not receive this information by Monday, November 14, 2005, I will have no alternative but to seek the Court's intervention. As stated in my previous letter, I feel that this information is not only discoverable but is completely relevant and material in light of your allegations that Craig Anthony Stephens was no acting in the line and scope of his employment.

I appreciate your prompt response to this letter and am hopeful that we can resolve this issue without seeking the Court's intervention.

Sincerely,

BEASLEY, ALLEN, CROW, METHVIN,
PORTIS & MILES, P.C.

Labarron N. Boone
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November 8, 2005

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RE: Estate of Ronald T. Roby v. Benton Express, Inc.
In the United States District Court for the Middle District of Alabama
2:05CV-194-T

Dear LaBarron:

This letter is in response to yours of November 7, 2005. We will continue to object to the discovery of any workers' compensation information. Please let us know if you have any questions or comments.

Very truly yours,

Gregory A. Brockwell
For the Firm

GAB/sdh
cc. Brett A. Ross, Esq.